

RESOLUTION NO. 2006-211

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI
APPROVING THE CITY INITIATED REQUEST ~~FOR~~ AN AMENDMENT
TO THE LAND USE ELEMENT OF THE GENERAL PLAN TO
REDESIGNATE THE OTHER ANNEXATION AREAS TO MDR (MEDIUM
DENSITY RESIDENTIAL); AND THE REQUEST OF TWO PROPERTY
OWNERS ON HARNEY LANE FOR AN AMENDMENT TO THE LAND
USE ELEMENT OF THE GENERAL PLAN TO REDESIGNATE 565 AND
603 EAST HARNEY LANE TO PR (PLANNED RESIDENTIAL)

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WHEREAS, the City Council of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested General Plan amendment, in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments: and

WHEREAS, the affected properties are located within the Other Annexation Areas (comprising 47.79 acres) and two properties on Harney Lane (comprising two acres) and are described as follows:

| APN | Site Address | Property Owner |
|------------|-----------------------------------|------------------------------------|
| 058-230-04 | 13786 North Lower Sacramento Road | Tsugio Kubota |
| 058-140-13 | 14320 North Lower Sacramento Road | M. Bill Peterson |
| 058-140-12 | 14500 North Lower Sacramento Road | M. Bill Peterson |
| 058-140-14 | 14620 North Lower Sacramento Road | Ruth Susan Peterson |
| 058-140-04 | 14752 North Lower Sacramento Road | Dean and Sharon Frame Trust |
| 058-140-11 | 777 East Olive Avenue | Zane Grever Trust |
| 058-140-06 | 800 East Olive Avenue | Vernet and Charlene Herrmann Trust |
| 058-140-07 | 844 East Olive Avenue | Santiago and Ramona Del Rio |
| 058-140-08 | 890 East Olive Avenue | Frank Hall |
| 058-140-05 | 865 East Olive Avenue | Santiago and Ramona Del Rio |
| 058-140-09 | 908 East Olive Avenue | Santiago and Ramona Del Rio |
| 058-140-10 | 930 East Olive Avenue | Leticia F. Amigable Et al. |
| 058-040-11 | 565 East Harney Lane | Robert and Letha Pinnell |
| 058-040-12 | 603 East Harney Lane | Frank Hall |

WHEREAS, the City has initiated a request for a General Plan amendment in connection with the request to annex the other annexation areas to avoid creation of a County island; and

WHEREAS, the property owners for parcels located at 565 and 603 East Harney Lane have filed applications for General Plan amendment with the City of Lodi Community Development Department in connection with the request to annex their properties, which are contiguous to the Southwest Gateway Development Project (initiated by Frontiers Community Builders Inc.) and includes an annexation request (AX-04-01); and

WHEREAS, the City of Lodi Planning Commission held public hearings on the proposed General Plan amendments on October 11, 2006 and October 25, 2006, and its motion to recommend approval to the City Council was defeated on a 2 to 5 vote; and

WHEREAS, the General Plan Land Use Diagram designates the other annexation area parcel as Planned Residential(~~PR~~); and

WHEREAS, the request is to change the General Plan Land Use Diagram to Medium Density Residential (MDR) for the Other Annexation Areas and Planned Residential (PR) for 565 and 603 East Harney Lane as shown on Exhibit A to this Resolution; and

WHEREAS, the proposed designations of MDR and PR would be compatible with the existing uses developed on the site and would also allow for the development of future residential uses; and

WHEREAS, all legal prerequisites to recommend the approval of this General Plan Amendment have occurred; and

WHEREAS, the City Council did certify the Environmental Impact Report (EIR) (EIR-05-01) and adopted Findings and a Statement of Overriding Considerations pursuant to California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT FOUND, DETERMINED, AND RESOLVED that the City Council of the City of Lodi makes the following findings:

1. The EIR (EIR-05-01) was certified by City Council Resolution No. 2006-209 and Findings and Statement of Overriding Considerations for the project pursuant to CEQA were adopted by City Council Resolution No. 2006-209.
2. The required public hearing by the Planning Commission was duly advertised and held in a manner prescribed by law.
3. The required public hearing held by the City Council was duly advertised and held in a manner prescribed by law.
4. The requested General Plan amendment does not conflict with adopted plans or policies of the General Plan and will serve sound planning practice.
5. The size, shape, and topography of the site are physically suitable for future residential development consistent with the new land use designations.

NOW, THEREFORE, BE IT FURTHER FOUND, DETERMINED, AND RESOLVED that the City Council of the City of Lodi hereby approves the amendments to the General Plan Land Use Diagram as shown on Exhibit A hereto.

Dated: November 15, 2006

I hereby certify that Resolution No. 2006-211 was passed and adopted by the Lodi City Council in a regular meeting held November 15, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, and Mounce

NOES: COUNCIL MEMBERS – None

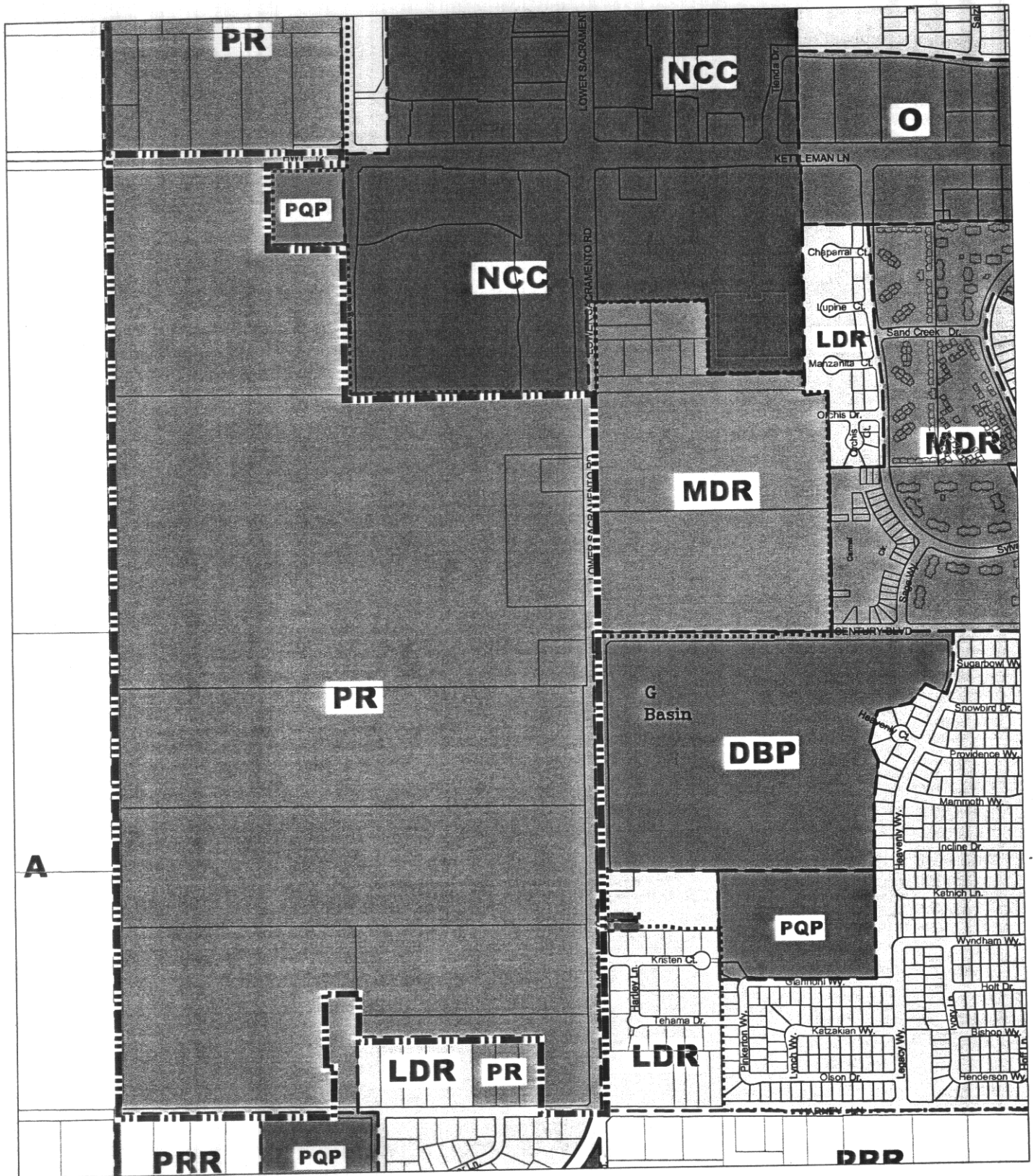
ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – Mayor Hitchcock

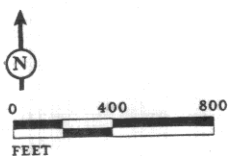

RANDI JOHL

City Clerk

EXHIBIT A
AMENDMENTS **TO** THE GENERAL PLAN LAND **USE** DIAGRAM



LSA



- SOUTHWEST GATEWAYS PROJECT SITE
- OTHER AREAS TO BE ANNEXED
- CITY LIMITS
- SPHERE OF INFLUENCE

- LDR LOW DENSITY RESIDENTIAL
- MDR MEDIUM DENSITY RESIDENTIAL
- HDR HIGH DENSITY RESIDENTIAL
- PR PLANNED RESIDENTIAL
- NCC NEIGHBORHOOD/COMMUNITY COMMERCIAL
- GC GENERAL COMMERCIAL
- DC DOWNTOWN COMMERCIAL
- O OFFICE
- PQP PUBLIC/QUASI PUBLIC
- DBP DETENTION BASINS AND PARKS
- A AGRICULTURE
- PRR PLANNED RESIDENTIAL RESERVE

Attachment A General Plan Designations

SOURCE: CITY OF LODI, 2005.

I:\LOD531 wside swgate\figures\attachments\Attachment_A.ai (10/3/06)